

Present—Not Voting.

Johnson of Ellis.

Absent.

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| Barrett of Bell. | Pope. |
| Laney. | Thompson |
| Menking. | of Harris. |
| Morgan. | West. |
| Neinast. | |

Absent—Excused.

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| Burkett. | Faubion. |
| Crumpton. | McCord. |
| Curtis. | Westbrook. |

The House, accordingly, at 10:50
o'clock a. m., adjourned until 10:55
o'clock a. m., February 4.

NINETEENTH DAY.

(Friday, February 4, 1921.)

The House met at 10:55 o'clock a. m.,
pursuant to adjournment, and was called
to order by Speaker Thomas.

The roll was called and the following
members were present:

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| Adams. | Dinkle. |
| Aiken. | Duffey. |
| Baker. | Duncan. |
| Baldwin. | Edwards. |
| Barker. | Estes. |
| Barrett of Fannin. | Fly. |
| Bass. | Fugler. |
| Beasley | Garrett. |
| of Hopkins. | Greer. |
| Beasley | Grissom. |
| of McCulloch. | Hall. |
| Beavens. | Hanna. |
| Binkley. | Hardin. |
| Black, O. B., | Harrington. |
| of Bexar. | Harrison. |
| Black, W. A., | Henderson |
| of Bexar. | of McLennan. |
| Bonham. | Henderson |
| Brady. | of Marion. |
| Branch. | Hill. |
| Brown. | Horton. |
| Bryant. | Johnson |
| Burmeister. | of Gillespie. |
| Burns. | Johnson |
| Carpenter. | of Wichita. |
| Childers. | Jones. |
| Chitwood. | Kacir. |
| Coffee. | Kellis. |
| Cox. | King. |
| Crawford. | Kveton. |
| Cummins. | Lackey. |
| Darroch. | Laird. |
| Davis, John E., | Lauderdale. |
| of Dallas. | Lawrence. |
| Davis, John, | Leslie. |
| of Dallas. | Lindsey. |

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| Looney. | Satterwhite. |
| McDaniel. | Schweppe. |
| McKean. | Seagler. |
| McLeod. | Shearer. |
| Malone. | Sims. |
| Martin. | Smith. |
| Marshall. | Sneed. |
| Mathes. | Stephens. |
| Melson. | Stevenson. |
| Merriman. | Stewart |
| Miller of Dallas. | of Edwards. |
| Miller of Parker. | Stewart of Reeves. |
| Moore. | Swann. |
| Morris of Medina. | Sweet of Brown. |
| Morris | Sweet of Tarrant. |
| of Montague. | Teer. |
| Mott. | Thomas |
| Neblett. | of Limestone. |
| Owen. | Thomason. |
| Patman. | Thompson |
| Perkins | of Red River. |
| of Cherokee. | Thorn. |
| Perkins of Lamar. | Thrasher. |
| Perry. | Veatch. |
| Pollard. | Wadley. |
| Pool. | Walker. |
| Pope. | Wallace. |
| Quaid. | Webb. |
| Quicksall. | Wessels. |
| Quinn. | Williams |
| Rice. | of McLennan. |
| Rogers of Harris. | Williams |
| Rogers of Shelby. | of Montgomery |
| Rosser. | Wright. |
| Rountree. | |

Absent.

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| Hendricks. | Neinast. |
| Johnson of Ellis. | Rowland. |

Absent—Excused.

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| Barrett of Bell. | McFarlane. |
| Burkett. | Menking. |
| Crumpton. | Morgan. |
| Curtis. | Thompson |
| Faubion. | of Harris. |
| Laney. | West. |
| McCord. | Westbrook. |

A quorum was announced present.

Prayer was then offered by Rev. J. C.
Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted
leaves of absence on account of im-
portant business:

Mr. West and Mr. Morgan for today
and tomorrow, on motion of Mr. O. B.
Black of Bexar.

Mr. Faubion for today and tomorrow,
on motion of Mr. Teer.

Mr. Thompson of Harris for today
and tomorrow, on motion of Mr.
Beavens.

Mr. Menking for today and tomorrow,
on motion of Mr. Wessels.

Mr. Barrett of Bell for today and tomorrow, on motion of Mr. Harrington.

Mr. Laney for today and tomorrow, on motion of Mr. Horton.

Mr. McFarlane for today and tomorrow, on motion of Mr. Merriman.

(Mr. Hill in the chair.)

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Melson:

H. B. No. 370, A bill to be entitled "An Act abolishing the State Tax Board and the State Tax Commissioner created and provided for in Chapter 4 of Title 126 of the Revised Civil Statutes of the State of Texas of 1911, and conferring the duties, powers, authority, and functions of said board and said commissioner upon the Comptroller of Public Accounts and the Railroad Commission of Texas, and dividing such duties, powers, authority and functions between said Comptroller and said Railroad Commission, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Leslie:

H. B. No. 371, A bill to be entitled "An Act to create and establish the county of Kenedy out of territory taken from the existing counties of Cameron and Hidalgo; prescribing its area and boundaries; appointing commissioners to organize said county and prescribing their duties; providing for a division of said county into commissioners' and justices' precincts; providing for the holding of county and precinct elections for the election of county and precinct officers, and for the location of the county seat of said county; providing for the attaching of said county to the judicial, representative, senatorial and congressional districts, and supreme judicial districts; providing for the assessment and collection of taxes, for the defraying of the expenses of organizing said county and for the payment of the proportion of the liabilities of the counties of Cameron and Hidalgo, chargeable, respectively, on the territory taken from them; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Hardin:

H. B. No. 372, A bill to be entitled "An Act providing that when the per-

son or property of anyone is injured or damaged through negligence of another upon any public highway and by means of an automobile, truck, or other motor driven vehicle owned by another and whether such automobile, truck, or other motor vehicle is being operated at the time by the owner thereof or any other person, other than the person who, or whose property, is injured or damaged, suit may be brought by the party in interest so sustained or the damages so done, and if a judgment is therefor obtained it shall be a first lien upon such automobile, truck, or other motor vehicle, any contract lien thereon to the contrary notwithstanding, upon the filing of such suit, such automobile, truck, or other motor driven vehicle may be attached by the plaintiff the same as if the damages in said suit were liquidated damages and thereafter said automobile, truck, or other motor vehicle shall be dealt with in such suit as in other suits involving attachments for liquidated damages under existing laws, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Harrison:

H. B. No. 373, A bill to be entitled "An Act authorizing the erection of a monument to the memory of the soldiers, sailors, marines and nurses from Texas who lost their lives during the civil war; providing for the appointment of a committee; making an appropriation therefor; permitting private donations, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Fly:

H. B. No. 374, A bill to be entitled "An Act authorizing the Courts of Civil Appeals to appoint a bailiff to attend the sittings of such court and perform such other services for the court that may be required of him; he shall receive the annual salary of \$100."

Referred to Judiciary Committee.

By Mr. Mott:

H. B. No. 375, A bill to be entitled "An Act to amend Article 106, Chapter 5, Title 2, of the Code of Criminal Procedure of the State of Texas, defining the jurisdiction of justices of the peace in cases arising under the criminal laws of the State of Texas; and fixing venue of cases arising under the criminal laws of the State of Texas which are cognizable by justices of the peace; adding a new article to be known as Article 106a, of Chapter 5, Title 2, of the Code

of Criminal Procedure; providing for change of venue in justice of the peace courts from one precinct to another within the same county of the State of Texas."

Referred to Judiciary Committee.

By Mr. Moore:

H. B. No. 376. A bill to be entitled "An Act to amend Title 3 of the Revised Civil Statutes of the State of Texas, 1911, entitled 'Aliens,' relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to the property in this State; providing for escheats in certain cases; prescribing the procedure therein; requiring reports of certain property holdings to facilitate the enforcement of this act; prescribing penalties for the violation of the provisions hereof; and repealing all acts or parts of acts inconsistent or in conflict herewith, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Melson:

H. B. No. 377. A bill to be entitled "An Act to regulate the manufacture and sale of ice cream or fruit ice cream or nut ice cream in this State; prohibiting the sale of such products except under their true name, and providing for inspection thereof; prescribing a standard for ice cream or fruit ice cream or nut ice cream; providing for the pasteurization of same; making it unlawful to sell as ice cream, fruit ice cream or nut ice cream any product not conforming to standard prescribed in this act; authorizing the inspection and method of compliance with the law in this respect; prescribing the duty of the State Health Officer and his chemist, inspectors and other persons appointed by him in the enforcement of the provisions of this act; making it unlawful to obstruct the State Health Officer or those under his direction in exercising the powers conferred; providing penalties for violation of this act and making accumulative of all laws and parts of laws in this State, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Stewart of Reeves and Mr. Hall:

H. B. No. 378. A bill to be entitled "An Act to amend Chapter 81, Acts of the Second Called Session of the Thirty-sixth Legislature, by adding a new sec-

tion to said Chapter 81 to be known as Section 18a, providing that when the owner of the surface has leased the oil and gas, as provided in said chapter, and afterwards the rights of the surface owner are forfeited or canceled by the State for any legal reason, the lessee may secure from the Land Commissioner, by applying for same within ninety days after the forfeiture, and notice thereof mailed to the county clerk of the county wherein the land is located, a new lease contract on the identical terms of the original; except that on the new lease, he shall be required to pay to the State one-eighth of the oil produced, and declaring an emergency."

Referred to Committee on Public Lands.

By Mr. Melson:

H. B. No. 379. A bill to be entitled "An Act abolishing the board consisting of the Lieutenant Governor and three members whom the Governor is authorized to appoint, and which board is authorized and empowered to govern, manage and control sub-experiment stations to make experiments and conduct investigations in planting and growing agricultural and horticultural crops and soils, and the breeding, feeding and fattening of live stock for slaughter, and conferring the authority, duties, powers and functions of said board upon the Board of Directors of the Agricultural and Mechanical College of Texas, and declaring an emergency."

Referred to Committee on Agriculture.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Jones, it was ordered that House bill No. 358 be not printed.

On motion of Mr. Seagler, it was ordered that House bill No. 59 be not printed.

BILL ORDERED PRINTED.

On motion of Mr. Burmeister, it was ordered that House bill No. 37, with majority adverse and minority favorable report, be printed.

VOTE ON HOUSE BILL NO. 168 RE-CONSIDERED.

Mr. Owen moved to reconsider the vote by which the House on yesterday passed House bill No. 168 to engrossment.

Yeas and nays were demanded, and the motion to reconsider prevailed by the following vote:

Yeas—73.

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| Barker. | Moore. |
| Barrett of Fannin. | Neblett. |
| Beasley | Owen. |
| of McCulloch. | Patman. |
| Bonham. | Perkins |
| Branch. | of Cherokee. |
| Bryant. | Perkins of Lamar. |
| Burmeister. | Pool. |
| Burns. | Quaid. |
| Childers. | Quicksall. |
| Coffee. | Quinn. |
| Cummins. | Rice. |
| Davis, John E., | Rogers of Shelby. |
| of Dallas. | Rosser. |
| Davis, John, | Rowland. |
| of Dallas. | Satterwhite. |
| Dinkle. | Schewpe. |
| Duffey. | Seagler. |
| Estes. | Sims. |
| Fly. | Smith. |
| Garrett. | Sneed. |
| Greer. | Stephens. |
| Grissom. | Stewart |
| Hanna. | of Edwards. |
| Harrington. | Stewart of Reeves. |
| Henderson | Swann. |
| of McLennan. | Sweet of Brown. |
| Hendricks. | Sweet of Tarrant. |
| Hill. | Teer. |
| Johnson | Thomas |
| of Wichita. | of Limestone. |
| Jones. | Thompson |
| Kellis. | of Red River. |
| King. | Thorn. |
| Kveton. | Thrasher. |
| Laird. | Veatch. |
| McDaniel. | Wadley. |
| McLeod. | Wallace. |
| Martin. | Williams |
| Mathes. | of McLennan. |
| Melson. | Williams |
| Miller of Parker. | of Montgomery. |

Nays—42.

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| Adams. | Johnson |
| Aiken. | of Gillespie. |
| Baker. | Johnson of Ellis. |
| Bass. | Kacir. |
| Beavens. | Lackey. |
| Black, O. B., | Lauderdale. |
| of Bexar. | Lawrence. |
| Black, W. A., | Leslie. |
| of Bexar. | Lindsey. |
| Brown. | Looney. |
| Carpenter. | McKean. |
| Cox. | Malone. |
| Crawford. | Marshall. |
| Duncan. | Merriman. |
| Edwards. | Miller of Dallas. |
| Fugler. | Morris of Medina. |
| Hall. | Morris |
| Hardin. | of Montague. |
| Harrison. | Mott. |
| Henderson | Perry. |
| of Marion. | Pollard. |

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| Rogers of Harris. | Walker. |
| Shearer. | Webb. |
| Thomason. | |

Present—Not Voting.

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| Baldwin. | Horton. |
| Darroch. | Wessels. |

Absent.

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| Beasley | Neinast. |
| of Hopkins. | Pope. |
| Binkley. | Rountree. |
| Brady. | Stevenson. |
| Chitwood. | Wright. |

Absent—Excused.

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| Barrett of Bell. | McFarlane. |
| Burkett. | Menking. |
| Crumpton. | Morgan. |
| Curtis. | Thompson |
| Faubion. | of Harris. |
| Laney. | West. |
| McCord. | Westbrook. |

Question—Shall House bill No. 168 be passed to engrossment?

Mr. Owen moved to postpone further consideration of the bill indefinitely.

Mr. Carpenter moved to table the motion to indefinitely postpone, and the motion to table was lost.

Question recurring on the motion to indefinitely postpone, it prevailed.

Mr. Veatch moved to reconsider the vote by which the bill was indefinitely postponed, and to table the motion to reconsider.

The motion to table prevailed.

BILL RE-REFERRED.

On motion of Mr. Bass, House bill No. 54 was withdrawn from the Committee on Commerce and Manufacturing and referred to the Committee on State Affairs.

MOTION TO PRINT HOUSE BILL NO. 262.

Mr. John Davis of Dallas moved that House bill No. 262, with majority adverse and minority favorable report, be printed, and the motion was lost.

BILL RECOMMITTED.

On motion of Mr. Cox, House bill No. 163 was recommitted to the Judiciary Committee.

BILL ORDERED PRINTED.

On motion of Mr. Bonham, it was ordered that House bill No. 257, with majority adverse and minority favorable report, be printed.

INVITING JUDGE W. F. RAMSEY TO ADDRESS THE HOUSE.

Mr. John Davis of Dallas offered the following resolution:

Be it resolved, That Judge W. F. Ramsey of Federal Reserve Bank of Dallas be, and he is hereby invited to deliver and address to members of the Legislature and others at 7:30 p. m., Tuesday, February 8, 1921, in the House Chamber, on warehousing and marketing of cotton and kindred subjects.

The resolution was read second time and was adopted.

HOUSE BILL NO. 46 ON ENGROSSMENT.

The Speaker laid before the House, as a special order for this hour, on its passage to engrossment,

H. B. No. 46, A bill to be entitled "An Act to amend Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Chapter 113 of the General Laws of the Thirty-sixth Legislature, providing that the tax collector of each county shall transmit on Monday of each week, to the State Highway Department, fifteen per cent of the gross registration, chauffeur and transfer fees during the preceding week, and deposit the remaining eighty-five per cent in the county depository to the credit of the road and bridge fund of the county, to be expended by the commissioners court as is now, providing that all license fees collected on commercial and interurban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed in proportion to the mileage traveled in each county, and declaring an emergency and also amending Section 5, Chapter 190, Acts of the Regular Session of the Thirty-sixth Legislature so as to provide that all salaries of employes of the State Highway Department, including engineer, shall be fixed by the Legislature."

The bill having been read second time on yesterday and set as a special order for this hour, with an amendment by Mr. Darroch, pending.

Question—Shall the amendment be adopted?

RECESS.

On motion of Mr. Bass, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by Speaker Thomas.

COMMITTEE TO INVESTIGATE PENITENTIARY AFFAIRS.

The Speaker announced the appointment of the following committee to investigate penitentiary affairs:

Messrs. Teer, Seagler, Williams of McLennan, Chitwood, and Darroch.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 4, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. J. R. No. 4, Proposing to amend Sections 5, 21, 22, and 23, of Article 4 of the Constitution of the State of Texas relating to compensation of the executive officers of said State.

S. B. No. 59, A bill to be entitled "An Act to provide that all judgments for pecuniary fines in misdemeanor cases shall be suspended for a period of thirty days after the date of said judgment after which date only capias profine may issue thereon if not satisfied, and declaring an emergency."

H. B. No. 173, A bill to be entitled "An Act to amend Section 1, Chapter 50, of Local and Special Laws of the State of Texas, being an act known as House bill No. 122, enacted by the Thirty-sixth Legislature of the State of Texas, at its Third Called Session, approved June 17, 1920, creating Miles Independent School District; this amendment revising, diminishing and re-establishing the limits and metes and bounds of said district as established by said act, to include only territory in Runnels county and excluding from said district certain territory in Runnels county and all territory in Tom Green county, and restoring and re-establishing such excluded territory which said act known as House bill No. 122 included in said Miles Independent School District to and as constituting, in whole or in part, as the case may be, the same original respective school districts of Tom Green and Runnels counties which such territory constituted, in whole or in part, before the taking effect of such act; continuing in office the trustees of such

original respective school districts of Tom Green and Runnels counties who were in office when said original act took effect, with the same powers and duties as then conferred upon them by law, until the expiration of their respective terms of office; and continuing all the parts of said act which are not hereby amended in full force and effect; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 65, A bill to be entitled "An Act to require the giving of an additional supersedeas bond in cases pending on appeal or writ of error in Supreme Court or the Court of Civil Appeals, wherever, after the execution of the original bond, the same becomes insufficient by reason of the death or insolvency of the sureties on such bond, or from any other cause, and providing for the repeal of all laws in conflict herewith, and declaring an emergency."

And has concurred in House amendments to Senate bill No. 65.

Respectfully,
W. V. HOWERTON,
Secretary of the Senate.

HOUSE BILL NO. 46 ON ENGROSSMENT.

The House resumed consideration of pending special order, same being House bill No. 46, providing for disposition of fees collected under the law creating the State Highway Department, on its passage to engrossment, with amendment by Mr. Darroch, pending.

Mr. Fly offered the following substitute for the amendment:

Amend House bill No. 46 by striking out all after the enacting clause, and insert the following:

Section 1. That from and after the passage of this act it shall be the duty of the Legislature to make appropriations for, and it is hereby authorized to appropriate funds and fix the compensation of all employes, of the State Highway Department; and to fix and determine the amount to be expended by the State through the State Highway Department, in the conduct of said Department, in so far as it may be found practicable to ascertain and determine such expenditures; provided that this shall not apply to expenditures, especially for, and set out in the provisions of Chapter 190, General Laws of the Thirty-fifth Legislature, and acts amendatory thereof, and for the accomplishment of those purposes for which the said act creating the State Highway Department and prescribing its

power and duties, was passed; and provided further, that all moneys herein authorized, shall be paid from the State Highway Department fund, authorized to be created by said Chapter 190.

Pending consideration of the substitute, Mr. Cummins occupied the chair.

(Speaker in the chair.)

Mr. Darroch moved the previous question on the amendment and the substitute, and the main question was ordered.

Question first recurring on the substitute, yeas and nays were demanded.

The substitute was adopted by the following vote:

Yeas—60.

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| Mr. Speaker. | McKean. |
| Baker. | McLeod. |
| Bass. | Malone. |
| Beavens. | Merriman. |
| Black, O. B., | Miller of Dallas. |
| of Bexar. | Neblett. |
| Black, W. A., | Owen. |
| of Bexar. | Patman. |
| Bonham. | Perkins |
| Burmeister. | of Cherokee. |
| Carpenter. | Perkins of Lamar. |
| Cox. | Polkard. |
| Davis, John, | Pool. |
| of Dallas. | Quaid. |
| Duncan. | Quicksall. |
| Estes. | Rogers of Shelby. |
| Fly. | Rosser. |
| Fugler. | Schweppe. |
| Greer. | Seagler. |
| Hall. | Shearer. |
| Henderson | Smith. |
| of McLennan. | Sneed. |
| Henderson | Stephens. |
| of Marion. | Stevenson. |
| Hill. | Stewart of Reeves. |
| Horton. | Swann. |
| Johnson | Thomason. |
| of Gillespie. | Thorn. |
| Johnson | Thrasher. |
| of Wichita. | Walker. |
| Jones. | Webb. |
| Kellis. | Williams |
| Lackey. | of McLennan. |
| Laird. | Williams |
| Lauderdale. | of Montgomery |

Nays—58.

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| Adams. | Burns. |
| Aiken. | Childers. |
| Baldwin. | Coffee. |
| Barker. | Crawford. |
| Barrett of Fannin. | Cummins. |
| Beasley | Darroch. |
| of Hopkins. | Davis, John E., |
| Beasley | of Dallas. |
| of McCulloch. | Dinkle. |
| Branch. | Duffey. |
| Brown. | Edwards. |
| Bryant. | Garrett. |

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| Grissom. | Moore. |
| Hanna. | Morris of Medina. |
| Hardin. | Morris |
| Harrington. | of Montague. |
| Harrison. | Mott. |
| Hendricks. | Quinn. |
| Johnson of Ellis. | Rice. |
| Kacir. | Rowland. |
| King. | Satterwhite. |
| Kveton. | Sims. |
| Lawrence. | Sweet of Brown. |
| Leslie. | Sweet of Tarrant. |
| Lindsey. | Thomas |
| Looney. | of Limestone. |
| McDaniel. | Thompson |
| Martin. | of Red River. |
| Marshall. | Wadley. |
| Mathes. | Wallace. |
| Melson. | Wessels. |
| Miller of Parker. | Wright. |

Absent.

| | |
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| Binkley. | Perry. |
| Brady. | Rogers of Harris. |
| Chitwood. | Rountree. |
| Neinast. | Teer. |

Absent—Excused.

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| Barrett of Bell. | Laney. |
| Burkett. | McCord. |
| Crumpton. | McFarlane. |
| Curtis. | Menking. |
| Faubion. | Westbrook. |

Paired.

Mr. Stewart of Edwards (present), who would vote "nay," with Mr. Morgan (absent), who would vote "yea."

Mr. Pope (present), who would vote "nay," with Mr. Thompson of Harris (absent), who would vote "yea."

Mr. Veatch (present), who would vote "nay," with Mr. West (absent), who would vote "yea."

Mr. Beasley of McCulloch called for a verification of the vote.

The Clerk was directed to call the roll of those recorded as voting "yea."

The roll of "yeas" was called and found correct as first announced.

The Clerk was then directed to call the roll of those recorded as voting "nay."

The roll of "nays" was called and found correct as first announced.

The verified vote stood, as first announced: yeas, 60; nays, 58.

Question then recurring on the amendment as substituted, it was adopted.

Mr. Williams of McLennan moved to reconsider the vote by which the amendment as substituted was adopted, and to table the motion to reconsider.

Mr. Williams of McLennan moved a call of the House for the purpose of maintaining a quorum pending consideration of the motions to reconsider and to table, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

Question recurring on the motion to table the motion to reconsider, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—56.

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|---------------|--------------------|
| Mr. Speaker. | Lauderdale. |
| Baker. | McKean. |
| Bass. | McLeod. |
| Beavens. | Malone. |
| Black, O. B., | Merriman. |
| of Bexar. | Miller of Dallas. |
| Black, W. A., | Neblett. |
| of Bexar. | Owen. |
| Bonham. | Patman. |
| Burmeister. | Perkins |
| Carpenter. | of Cherokee. |
| Cox. | Pool. |
| Davis, John, | Quaid. |
| of Dallas. | Quicksall. |
| Duncan. | Rogers of Shelby. |
| Estes. | Rosser. |
| Fly. | Seagler. |
| Fugler. | Shearer. |
| Hall. | Smith. |
| Henderson | Sneed. |
| of McLennan. | Stephens. |
| Henderson | Stevenson. |
| of Marion. | Stewart of Reeves. |
| Hill. | Swann. |
| Horton. | Thomason. |
| Johnson | Thorn. |
| of Gillespie. | Thrasher. |
| Johnson | Walker. |
| of Wichita. | Webb. |
| Jones. | Williams |
| Kellis. | of McLennan. |
| Lackey. | Williams |
| Laird. | of Montgomery. |

Nays—63.

| | |
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| Adams. | Branch. |
| Aiken. | Brown. |
| Baldwin. | Bryant. |
| Barker. | Burns. |
| Barrett of Fannin. | Childers. |
| Beasley | Coffee. |
| of Hopkins. | Crawford. |
| Beasley | Cummins. |
| of McCulloch. | Darroch. |

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| Davis, John E., of Dallas. | Miller of Parker. |
| Dinkle. | Moore. |
| Duffey. | Morris of Medina. |
| Edwards. | Morris |
| Garrett. | of Montague. |
| Greer. | Mott. |
| Grissom. | Perkins of Lamar. |
| Hanna. | Pollard. |
| Hardin. | Quinn. |
| Harrington. | Rice. |
| Harrison. | Rowland. |
| Hendricks. | Satterwhite. |
| Johnson of Ellis. | Schweppe. |
| Kacir. | Sims. |
| King. | Stewart |
| Kveton. | of Edwards. |
| Lawrence. | Sweet of Brown. |
| Leslie. | Sweet of Tarrant. |
| Lindsey. | Thomas |
| Looney. | of Limestone. |
| McDaniel. | Thompson |
| Martin. | of Red River. |
| Marshall. | Wadley. |
| Mathes. | Wallace. |
| Melson. | Wessels. |
| | Wright. |

Absent.

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| Binkley. | Perry. |
| Brady. | Rogers of Harris. |
| Chitwood. | Rountree. |
| Neinast. | Teer. |

Absent—Excused.

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| Barrett of Bell. | McCord. |
| Burkett. | McFarlane. |
| Crumpton. | Menking. |
| Curtis. | Morgan. |
| Faubion. | Westbrook. |
| Laney. | |

Paired.

Mr. Pope (present), who would vote "nay," with Mr. Thompson of Harris (absent), who would vote "yea."

Mr. Veatch (present), who would vote "nay," with Mr. West (absent), who would vote "yea."

Question—Shall the motion to reconsider prevail?

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 88, "An Act creating and incorporating the Pennington Independent County Line School District of Trinity and Houston counties, Texas, for free school purposes only, defining its boundaries, vesting it with all the rights, powers, duties and privileges of independent school districts under the gen-

eral laws of Texas pertaining thereto; providing for a board of trustees; raising of revenue by taxation; issuing bonds and maintaining public free schools therein; vesting all lands, buildings and other property owned and held for public free school purposes in said district; providing that all outstanding bonded indebtedness of the Pennington Common County Line District No. 30 of said counties shall be validated and made a valid obligation against the Pennington County Line School District of Trinity and Houston counties, Texas; and declaring valid a maintenance and bond tax heretofore voted by said Pennington Common County Line School District, and declaring an emergency."

H. B. No. 98, "An Act extending the boundaries of the Trinity Independent School District, enlarging the same and defining its boundaries, and providing that the management and control of all public free schools within said enlarged district shall be vested in the present board of public school trustees of the Trinity Independent School District and their successors in office, as now provided in the general laws of the State of Texas, and conferred upon boards of public school trustees of independent school districts; and providing that such added land and territory shall not be in any manner subjected to the payment of any portion of the bonded indebtedness now outstanding against the present Trinity Independent School District, the district as it existed prior to the enlargement thereof prior to the passage of this act, and providing that none of the land, territory and property by this act added to said Trinity Independent School District shall be subjected to the payment of any portion of the local maintenance tax now levied, assessed and collected in said district, except in so far as the same may have been heretofore levied and assessed by a vote of the people in said added territory as now provided by the general laws of this State, or as may hereafter be voted by the people of said enlarged district, as provided by the general laws of this State, and investing said Trinity Independent School District with all the powers, rights and duties of independent school districts, incorporated for free school purposes only, as now provided by the general laws of this State for such districts, naming the fiscal year as to taxes, and declaring an emergency."

H. B. No. 124, "An Act amending Chapter 57, Section 2, Local and Special

Laws of the State of Texas, passed at the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, creating the Blythe County Line Independent School District in Gaines, Terry and Yoakum counties, by redefining and correcting the boundaries of said Blythe County Line Independent School District, and declaring an emergency."

H. B. No. 130, "An Act creating the El Jardin Independent School District in Cameron county, Texas, and defining its boundaries; providing for the election and qualification of a board of trustees therefor; providing for the selection of a secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of the State, for free school purposes only, and declaring an emergency."

H. B. No. 133, "An Act creating the Carrizo Springs Independent School District of Dimmit county; defining its metes and bounds; vesting it with the rights and powers, duties and privileges of districts incorporated for school purposes only under the general laws; providing that all outstanding bonded indebtedness of Carrizo Springs Common School District No. 1 of Dimmit county, Texas, shall be validated and made a valid obligation against the Carrizo Springs Independent School District of Dimmit county, Texas; providing for a board of trustees therefor, and declaring an emergency."

ADJOURNMENT.

Mr. Darroch moved that the House adjourn until 10 o'clock a. m. next Monday.

Mr. Quinn moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Darroch prevailed, and the House accordingly, at 6:20 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 4, 1921.

Hon. Chas. G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

H. B. No. 26, A bill to be entitled "An Act to regulate and supervise the sale and purchase in the State of Texas of stocks, stock certificates, bonds, debentures or other securities, and the transaction of business in this State of persons, joint stock companies, common law trusts, co-partnerships, companies or other persons or organizations offering for sale in this State such securities excepting companies incorporated under the laws of the State of Texas, and declaring an emergency."

H. B. No. 58, A bill to be entitled "An Act to amend Article 325, Title 12, of the Revised Civil Statutes of 1911, so as to permit proceedings under said article regardless of indictment, criminal prosecution or conviction for any of the matters therein named."

H. B. No. 91, A bill to be entitled "An Act to amend Sections 1 and 7 (designated in the caption of the act to be amended as Sections 1494a and 1494f of Chapter 2 of Title 29 of the Revised Statutes of 1911) of Senate bill No. 6, passed at the Regular Session of the Thirty-fourth Legislature, entitled 'An Act to amend Chapter 2 of Title 29 of the Revised Statutes of 1911, by adding thereto Articles 1494a, 1494b, 1494c, 1494d, 1494e, 1494f, 1494g, 1494h and 1494j so as to place the finances of all improvements, navigation, drainage, road or irrigation districts, and all other districts that are now in existence by authority of law, or that may hereafter be created, under the control and supervision of the county auditor, in all counties containing a population of one hundred and ten thousand or more, as shown by the United States census of 1910, in which there now exists a county auditor, or in which a county auditor may hereafter be created, and providing for the filing, auditing and approving by him of all bills of said districts, and providing a method of drawing and paying said warrants, and providing for the prescribing of all necessary forms and the supervision by the auditor of the various funds of said districts, etc., and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 289, A bill to be entitled "An Act creating the Rowena Independent School District in Runnels county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred

and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof, declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; and repealing act of the Third Called Session of the Thirty-sixth Legislature creating the Rowena Independent School District, and declaring an emergency."

H. B. No. 307, A bill to be entitled "An Act creating the Booker Independent School District out of territory in Lipscomb county, Texas; defining its boundaries, fixing the number of trustees, providing for their election in accordance with the general laws of towns and villages incorporated for school purposes, and fixing their powers and duties, and providing for the election of the first trustees after this act becomes effective; authorizing the trustees to levy and collect a maintenance tax and to issue bonds for building purposes, and to levy, assess and collect a bond tax; providing for elections upon bond and tax propositions and for notice of such elections; prescribing the qualifications of voters at such elections, the form of ballot and for making returns; providing for the appointment of an assessor and collector of taxes, and fixing his powers, duties, bond, and compensation; providing for the collection of delinquent taxes, and for the assessment and collection of taxes by the county assessor and collector; applying the general laws when a matter is not expressly provided for, and declaring an emergency."

H. B. No. 323, A bill to be entitled "An Act creating and incorporating the Yorktown Independent School District in DeWitt county, Texas, containing the present Yorktown Independent School District and additional territory described in the field notes herein; providing that the school property be vested in such independent school district and that it assume all outstanding obligations of the school district included in the district created by this act; providing for a board of trustees for said district; defining the boundaries of said district, and declaring an emergency."

H. B. No. 324, A bill to be entitled "An Act authorizing the Polytechnic Heights Independent School District No. 42 of Tarrant county to levy and collect taxes, for issuance of bonds to the amount not to exceed fifty cents on the one hundred dollars valuation, declaring

an emergency, and the repeal of all laws conflicting with any part of this act."

H. B. No. 338, A bill to be entitled "An Act creating and incorporating the Lyford Independent School District in Cameron county, Texas, including the town of Lyford; defining its boundaries; providing for a board of trustees, and assuming all contracts, debts, including bonded indebtedness of Lyford Independent School District; investing said district with all the rights, privileges and duties of an independent school district created under the general laws of the State of Texas for free school purposes only, and declaring an emergency."

And find the same correctly engrossed.
SNEED, Chairman.

Committee Room,
Austin, Texas, February 3, 1921.

Hon. Chas. G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 306, A bill to be entitled "An Act creating the Hontoon Independent School District in Ochiltree county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; and declaring an emergency."

H. B. No. 68, A bill to be entitled "An Act to amend Section 1, Chapter 16, being an act of the Regular Session of the Thirty-fifth Legislature, 1917, as amended by Chapter 58, being an act of the Regular Session of the Thirty-fifth Legislature, 1917, relating to the creation of a Juvenile Board within certain counties of the State, and prescribing the duties and powers of such board, including the appointment by it of probation officers, and providing for the payment of compensation to such officers; allowing the said district judges an additional salary, to be paid out of the general fund of such county, and declaring an emergency."

H. B. No. 183, A bill to be entitled "An Act to repeal an act passed by the Third Called Session of the Thirty-sixth Legislature of the State of Texas, and

approved June 17, 1920, establishing Common County Line School District No. 2 in Hopkins and Franklin counties, Texas, so as to include certain lands in Common School District No. 28 of said Franklin county, Texas, and conferring upon said County Line School District No. 2 certain authority, and describing the boundaries of said Common County Line School District No. 2 in said Hopkins and Franklin counties."

H. B. No. 241, A bill to be entitled "An Act to repeal Chapter 60 of the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, approved March 13, 1919, creating a special road system for Falls county, and declaring an emergency."

H. B. No. 103, A bill to be entitled "An Act amending Article 5694, Title 87, Chapter 2, relating to limitations of vendor's liens and implied liens in real estate and barring same in four years from maturity."

H. B. No. 266, A bill to be entitled "An Act to amend Section 2, Chapter 6, of the Special Laws of Texas passed by the Second Called Session of the Thirty-fifth Legislature at page 39 thereof, approved August 30, 1917, being an act creating the Alanreed Independent School District in Gray county, Texas, giving the board of trustees the power to select and designate the depository for said school district, and declaring an emergency."

H. B. No. 277, A bill to be entitled "An Act creating the Tuscola Independent School District in Taylor county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

H. B. No. 281, A bill to be entitled "An Act creating the Perryton Independent School District in Ochiltree county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; providing that such district may

have its own assessor and collector of taxes and board of equalization; repealing Chapter 94, of the Local and Special Laws passed by the Third Called Session of the Thirty-sixth Legislature, and Chapter 1, of the Local and Special Laws passed by the Fourth Called Session of the Thirty-sixth Legislature; and declaring an emergency."

H. B. No. 285, A bill to be entitled "An Act creating the Nocona Independent School District in Montague county, Texas; defining its boundaries, including the present Nocona Independent School District; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts, and the boards of trustees thereof; providing that the present boards of trustees continue in office until expiration of their respective terms; providing that said district shall have its own assessor and collector of taxes and board of equalization, and providing that all bonds and maintenance taxes heretofore voted by any school district included within the bounds of the district hereby created, shall remain in full force and effect; and specifically repealing Chapter 2, of the Special Laws of Texas passed by the Thirty-first Legislature and all amendments thereto, and declaring an emergency."

And find the same correctly engrossed.
SNEED, Chairman.

STANDING COMMITTEE REPORTS.

The following standing committees filed favorable reports today on bills as follows:

Education: House bills Nos. 117, 154.

Common Carriers: House bill No. 294.

Judiciary: House bills Nos. 358, 349, 66, 360, 258, 259.

Criminal Jurisprudence: House bills Nos. 369, 59.

Conservation and Reclamation: House bill No. 365.

Game and Fisheries: House bill No. 318.

Appropriations: House bill No. 184.

The following standing committees filed unfavorable reports today on bills as follows:

Stock and Stock Raising: House bill No. 37.

Common Carriers: House bills Nos. 186, 92.
 Criminal Jurisprudence: House bills Nos. 169, 211.
 Judiciary: House bills No. 257, 292, 352.
 Labor: House bill No. 143.

TWENTIETH DAY.

(Monday, February 7, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

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| Adams. | Hanna. |
| Aiken. | Harrington. |
| Baker. | Harrison. |
| Baldwin. | Henderson |
| Barker. | of McLennan. |
| Barrett of Bell. | Henderson |
| Barrett of Fannin. | of Marion. |
| Bass. | Hendricks. |
| Beasley | Hill. |
| of Hopkins. | Horton. |
| Beasley | Johnson of Ellis. |
| of McCulloch. | Johnson |
| Beavens. | of Wichita. |
| Black, O. B., | Jones. |
| of Bexar. | Kacir. |
| Black, W. A., | Kellis. |
| of Bexar. | King. |
| Bonham. | Lackey. |
| Branch. | Laird. |
| Bryant. | Laney. |
| Burkett. | Lauderdale. |
| Burmeister. | Lawrence. |
| Burns. | Leslie. |
| Carpenter. | Lindsey. |
| Childers. | Looney. |
| Chitwood. | McCord. |
| Coffee. | McKean. |
| Cox. | McLeod. |
| Crawford. | Malone. |
| Crumpton. | Martin. |
| Cummins. | Marshall. |
| Curtis. | Mathes. |
| Darroch. | Melson. |
| Davis, John E., | Menking. |
| of Dallas. | Merriman. |
| Davis, John, | Miller of Parker. |
| of Dallas. | Morgan. |
| Dinkle. | Moore. |
| Duffey. | Morris of Medina. |
| Duncan. | Morris |
| Edwards. | of Montague. |
| Estes. | Mott. |
| Faubion. | Neblett. |
| Fly. | Neinast. |
| Garrett. | Owen. |
| Greer. | Patman. |
| Grissom. | Perkins |
| Hall. | of Cherokee. |

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| Perkins of Lamar. | Swann. |
| Perry. | Sweet of Brown. |
| Pollard. | Sweet of Tarrant. |
| Pool. | Teer. |
| Pope. | Thomason. |
| Quaid. | Thompson |
| Quicksall. | of Harris. |
| Quinn. | Thompson |
| Rice. | of Red River. |
| Rogers of Shelby. | Thorn. |
| Rountree. | Thrasher. |
| Rowland. | Veatch. |
| Satterwhite. | Wadley. |
| Schweppe. | Walker. |
| Seagler. | Wallace. |
| Shearer. | Webb. |
| Sims. | Wessels. |
| Smith. | West. |
| Sneed. | Williams |
| Stephens. | of McLennan. |
| Stevenson. | Williams |
| Stewart | of Montgomery. |
| of Edwards. | Wright. |
| Stewart of Reeves. | |

Absent.

Brown.

Absent—Excused.

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| Binkley. | McFarlane. |
| Brady. | Miller of Dallas. |
| Fugler. | Rogers of Harris. |
| Hardin. | Rosser. |
| Johnson | Thomas |
| of Gillespie. | of Limestone. |
| Kveton. | Westbrook. |
| McDaniel. | |

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Rosser for today and tomorrow, on motion of Mr. Marshall.

Mr. McDaniel indefinitely, on motion of Mr. Childers.

Mr. Thomas of Limestone for Monday, Tuesday and Wednesday, on motion of Mr. Quicksall.

Mr. Binkley and Mr. Brady for today and tomorrow, on motion of Mr. Jones.

Mr. Rogers of Harris for Monday, Tuesday and Wednesday, on motion of Mr. Beavens.

Mr. McFarlane for today, on motion of Mr. Merriman.

Mr. Kveton for today, on motion of Mr. Lauderdale.

Mr. Hardin for today, on motion of Mr. Barrett of Fannin.